

Docket Number: 21-004.C1

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Raymond L. Chong	Attorney Docket No.:	21-004.C1
Application No.:	10/760,026	Group Art Unit:	2609
Filed:	1/16/2004	Examiner:	Cheng Chien Wu
Title: SYSTEM AND METHOD FOR MONITORING A PACKET NETWORK			

REFUND SECTION, ACCOUNTING DIVISION
OFFICE OF FINANCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND
IMPROPER CHARGE OF DEPOSIT ACCOUNT

Sir:

I. REFUND REQUEST

This is a request for a refund in the amount of \$105.00, with respect to the charge to Deposit Account No: 50-0374, shown on the statement dated December 31, 2007, for the above identified patent application.

A copy of the monthly statement, in which the referenced error occurs, accompanies this request.

II. FEES CHARGED FOR WHICH REFUND IS REQUESTED

Fee code 2201: Small Entity for Independent Claims in Excess of Three

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

The fee for additional independent claims in excess of 3 was inappropriately charged to Agent's deposit account for the Amendment filed December 10, 2007.

The Amendment filed on December 10, 2007, was in response to the Office Action dated August 8, 2007, whereby the Examiner indicated Claim 14 was missing from a complete listing of all claims in the Preliminary Amendment dated January 16, 2004.

Application Control No.: 10/760,026

Although the Preliminary Amendment excluded Claim 14, the priority application filed with the Preliminary Amendment included Claim 14, as well as the three (3) other independent claims 1, 15 and 25.

The attached Filing Receipt, which is dated April 27, 2004, correctly shows four independent claims were filed with this application on January 16, 2004.

The attached monthly statement dated April 2004, shows a deduction on April 23, 2004, for Small Entity Fee code 2201 regarding Independent Claims in Excess of Three. Agent believes this deduction hereby takes care of the required fee for independent claims in excess of three, and the deposit account charge on December 31, 2007, should be refunded.

IV. MANNER OF REFUND

Please make a refund of \$105.00 by crediting Deposit Account No. 50-0374.

Respectfully submitted,

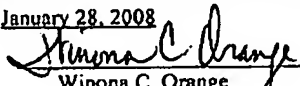


Mikio Ishimaru
Registration No. 27,449

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Sunnyvale, CA 94087
Phone: (408) 738-0592
Fax: (408) 738-0881
January 28, 2008

Certificate of Transmission

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Winona C. Orange



**United States
Patent and
Trademark Office**



Deposit Account Statement

Requested Statement Month:

December 2007

Deposit Account Number:

500374

Name:

ISHIMARU & ZAHRT LLP

Attention:

VICKIE ISHIMARU

Street Address 1:

333 W. EL CAMINO REAL

Street Address 2:

SUITE 330

City:

SUNNYVALE

State:

CA

Zip:

94087

Country:

UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
12/03	8908	11626232	27-409-1CPD.C1	1251	\$120.00	\$11,495.00
12/03	9449	11164453	27-132	1251	\$120.00	\$11,375.00
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12/04	10849	11044282	1016-071	1504	\$300.00	\$9,635.00
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12/05	3452	11950216	27-335	1311	\$210.00	\$9,115.00
12/05	3451	11950216	27-335	1111	\$510.00	\$8,605.00
12/05	3721	11950216	27-335	8021	\$40.00	\$8,565.00
12/05	10892	60939552	1007-113P (25027US)	8007	\$80.00	\$8,485.00
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12/07	3934	11951833	1016-048.D1	1111	\$510.00	\$7,455.00
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12/07	5565	11951958	27-453	1111	\$510.00	\$6,635.00
12/07	5566	11951958	27-453	1311	\$210.00	\$6,425.00
12/07	9698	6759752	27-046.D1	1551	\$930.00	\$5,495.00
12/07	11393	11950216	27-335-JP + KR + TW	8007	\$60.00	\$5,435.00
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12/10	6779	11952951	27-455	1311	\$210.00	\$12,345.00
12/10	6899	11952968	27-456	1011	\$310.00	\$12,035.00
12/10	6901	11952968	27-456	1311	\$210.00	\$11,825.00
12/10	6900	11952968	27-456	1111	\$510.00	\$11,315.00
12/10	6957	11952968	27-456	8021	\$40.00	\$11,275.00
12/10	7009	11952951	27-455	8021	\$40.00	\$11,235.00

12/10 11706 10908328	1016-048	1501	\$1,440.00	\$9,785.00
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12/11 801 11953340	27-331	1311	\$210.00	\$8,975.00
12/11 800 11953340	27-331	1111	\$510.00	\$8,465.00
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12/11 5653 10760026	21-004.C1	1814	\$130.00	\$8,175.00
12/11 6103 61012700	502-020P	2005	\$105.00	\$8,070.00
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12/11 8439 11953857	27-412.D1.C1	1311	\$210.00	\$7,040.00
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12/12 4 11626232	27-409-1CPD.C1	1814	\$130.00	\$6,780.00
12/12 3 11626232	27-409-1CPD.C1	1814	\$130.00	\$6,650.00
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12/12 9293 11954601	27-449	1311	\$210.00	\$6,130.00
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12/12 9340 11954603	27-493	1011	\$310.00	\$5,310.00
12/12 9341 11954603	27-493	1111	\$510.00	\$4,800.00
12/12 9342 11954603	27-493	1311	\$210.00	\$4,590.00
12/12 9393 11954607	27-450	1011	\$310.00	\$4,280.00
12/12 9394 11954607	27-450	1111	\$510.00	\$3,770.00
12/12 9395 11954607	27-450	1311	\$210.00	\$3,560.00
12/12 9428 11954613	27-492	1011	\$310.00	\$3,250.00
12/12 9429 11954613	27-492	1111	\$510.00	\$2,740.00
12/12 9430 11954613	27-492	1311	\$210.00	\$2,530.00
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12/12 1 11380378	1016-039.D1	1251	\$120.00	\$12,410.00
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12/12 9649 11954613	27-492	8021	\$40.00	\$12,330.00
12/12 9762 11954607	27-450	8021	\$40.00	\$12,280.00
12/12 9813 11954603	27-493	8021	\$40.00	\$12,250.00
12/12 11 PCT/US07/81694	36-004P-PCT	8007	-\$40.00	\$12,290.00
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12/14 5160 11956132	27-452	1311	\$210.00	\$11,830.00
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12/14 5450 11956132	27-452	8021	\$40.00	\$11,280.00
12/14 7187 10962007	1016-015.D1	1254	\$1,640.00	\$9,640.00
12/14 7476 11182629	27-134	1402	\$510.00	\$9,130.00
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12/17 4800 11856879	27-309	1251	\$120.00	\$8,880.00
12/17 5130 11856879	27-309	8021	\$40.00	\$8,840.00
12/17 7857 11354806	27-163	1251	\$120.00	\$8,720.00
12/18 1599 11957845	27-446	1011	\$310.00	\$8,410.00
12/18 1600 11957845	27-446	1111	\$510.00	\$7,900.00
12/18 1601 11957845	27-446	1311	\$210.00	\$7,690.00
12/18 1949 11957862	27-458	1011	\$310.00	\$7,380.00
12/18 1953 11957862	27-458	1311	\$210.00	\$7,170.00
12/18 1950 11957862	27-458	1111	\$510.00	\$6,660.00
12/18 2262 11957845	27-446	8021	\$40.00	\$6,620.00
12/18 2539 11957862	27-458	8021	\$40.00	\$6,580.00
12/18 7064 11958254	AFJ02055	1011	\$310.00	\$6,270.00

Deposit Account Statement

Page 3 of 4

12/18 7066 11958254	AFJ02055	1311	\$210.00	\$6,060.00
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12/18 13769 11958646	AFJ02049	1011	\$310.00	\$4,990.00
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12/19 397 E-REPLENISHMENT		9203	-\$5,000.00	\$9,270.00
12/19 815 11015608	10040730-1	1201	\$210.00	\$9,060.00
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12/19 1484 11958838	27-451	1011	\$310.00	\$8,710.00
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12/21 14803 6765296	1016-012	1551	\$930.00	\$2,310.00
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12/27 3807 11964567	27-465	1311	\$210.00	\$210.00
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12/27 4019 11964567	27-465	8021	\$40.00	\$12,170.00
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12/28 4740 11965550	27-462	1111	\$510.00	\$11,350.00
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12/28 4931 11965550	27-462	8021	\$40.00	\$11,100.00
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12/28 5388 11965621	27-447	1011	\$310.00	\$9,720.00
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12/28 5550 11965641	27-459	1111	\$510.00	\$8,180.00
12/28 5551 11965641	27-459	1311	\$210.00	\$7,970.00
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12/28 5683 11965653	27-460	1011	\$310.00	\$7,620.00
12/28 5685 11965653	27-460	1311	\$210.00	\$7,410.00
12/28 5684 11965653	27-460	1111	\$510.00	\$6,900.00
12/28 5713 11965653	27-460	8021	\$40.00	\$6,860.00
12/28 11842 09722168	21-006	1401	\$510.00	\$6,350.00
12/28 12154 09722168	21-006	1402	\$510.00	\$5,840.00
12/31 32 11966219	27-457	1011	\$310.00	\$5,530.00
12/31 33 11966219	27-457	1111	\$510.00	\$5,020.00
12/31 34 11966219	27-457	1311	\$210.00	\$4,810.00
12/31 1 10760026	21-004.C1	2201	\$105.00	\$4,705.00

Deposit Account Statement

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12/31 8838 11278070	27-254	1252	\$460.00	\$4,245.00
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12/31 34 12005499	27-193.C1	1111	\$510.00	\$3,425.00
12/31 35 12005499	27-193.C1	1311	\$210.00	\$3,215.00
START	SUM OF	SUM OF	END	
BALANCE	CHARGES	REPLENISH	BALANCE	
\$11,615.00	\$45,500.00	\$37,100.00	\$3,215.00	

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Deposit Account Statement

Requested Statement Month:

April 2004

Deposit Account Number:

500374

Name:

ISHIMARU & ZAHRT LLP

Attention:

VICKIE ISHIMARU

Street Address 1:

333 W. EL CAMINO REAL

Street Address 2:

SUITE 330

City:

SUNNYVALE

State:

CA

Zip:

94087

Country:

UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
04/01	339	6706563	27065SG	8013	\$25.00	\$6,400.00
04/02	129	10099284	ST00-005B	1501	\$1,330.00	\$5,070.00
04/02	130	10099284	ST00-005B	1504	\$300.00	\$4,770.00
04/02	301	29196558	1007D2	8021	\$40.00	\$4,730.00
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04/05	126	60478433	27-014P-SG	8007	\$20.00	\$4,690.00
04/05	129	60465432	27-012P-SG	8007	\$20.00	\$4,670.00
04/05	444	10462264	27-062.D1-SG	8007	\$20.00	\$4,650.00
04/06	159	10818339	1007-044	1001	\$770.00	\$3,880.00
04/08	85	6627990	27-063-SG	8013	\$25.00	\$3,855.00
04/08	21	E-REPLENISHMENT		9203	-\$5,000.00	\$8,855.00
04/09	164	60560180	29-007P	2005	\$80.00	\$8,775.00
04/12	25	10820664	1016-039	1001	\$770.00	\$8,005.00
04/12	26	10820664	1016-039	1201	\$86.00	\$7,919.00
04/12	27	10820664	1016-039	1202	\$36.00	\$7,883.00
04/15	375	29195995	1007-D1	1502	\$480.00	\$7,403.00
04/20	65	10825910	27-017	1001	\$770.00	\$6,633.00
04/20	68	10825910	27-017	1201	\$86.00	\$6,547.00
04/20	67	10825810	27-012	1001	\$770.00	\$5,777.00
04/20	68	10825810	27-012	1201	\$86.00	\$5,691.00
04/20	5	10826198	21-014	2001	\$385.00	\$5,306.00
04/20	6	10826198	21-014	2201	\$43.00	\$5,263.00
04/20	515	10754973	1016017D1SG	8007	\$20.00	\$5,243.00
04/21	54	10083993	27-062.D1-SG	8007	\$20.00	\$5,223.00
04/22	75	09849671	27-052.D1-SG	8007	\$20.00	\$5,203.00
04/23	81	6718608	27-025-SG	8013	\$25.00	\$5,178.00
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04/23	3	10760026	21-004.C1	2201	\$43.00	\$4,133.00
04/26	19	E-REPLENISHMENT		9203	-\$5,000.00	\$9,133.00
04/27	60	6720133		1460	\$130.00	\$9,003.00

Deposit Account Statement

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04/27 61	6720133		1811	\$100.00	\$8,903.00
04/27 62	10752454	1016-032	8021	\$40.00	\$8,863.00
04/27 110	10831247	1007-048	1001	\$770.00	\$8,093.00
04/27 385	10752357		8021	\$40.00	\$8,053.00

START	SUM OF	SUM OF	END
BALANCE	CHARGES	REPLENISH	BALANCE
\$8,425.00	\$8,372.00	\$10,000.00	\$8,053.00

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/760,026	01/16/2004	2662	428	21-004.C1	4	18	4

CONFIRMATION NO. 8498

22898
 THE LAW OFFICES OF MIKIO ISHIMARU
 1110 SUNNYVALE-SARATOGA ROAD
 SUITE A1
 SUNNYVALE, CA 94087

FILING RECEIPT



OC000000012450775

RECEIVED

APR 30 2004

MIKIO ISHIMARU

Date Mailed: 04/27/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) ::

Raymond L. Chong, San Jose, CA;

Assignment For Published Patent Application

SUNRISE TELECOM INCORPORATED, San Jose, CA;

Domestic Priority data as claimed by applicant

This application is a CON of 10/105,600 03/20/2002

Foreign Applications

If Required, Foreign Filing License Granted: 04/26/2004

Projected Publication Date: 08/05/2004

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

System and method for monitoring a packet network

Preliminary Class
370

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Document code: WFEE

United States Patent and Trademark Office
Sales Receipt for Accounting Date: 01/03/2008

AFREEMAN SALE #00000002 Mailroom Dt: 12/10/2007 022448 10760026
01 FC:1201 420.00 DA

Adjustment Date: 02/05/2008 SDIRETA1
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01 FC:2201 105.00 CR